

**REMARKS**

This Amendment, Response, and Request for Continued Examination (RCE) Pursuant to 37 CFR 1.114 is being submitted in response to the final Office Action mailed April 12, 2005. Claims 1-36 are pending in the Application. Claims 21-24 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1, 4, 11-13, 17, 20, and 36 stand rejected under 35 U.S.C. 102(e) as being anticipated by Andersson et al. (U.S. Patent No. 6,449,275) (hereinafter referred to as '275). Claims 2, 3, 5-7, 9, 10, 25-28, 30, and 31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over '275 in view of Mazzola et al. (U.S. Patent No. 5,470,171) (hereinafter referred to as '171). Claims 8, 29, and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over '275 in view of '171, and further in view of So et al. (U.S. Patent No. 6,212,168) (hereinafter referred to as '168). Claims 14, 15, 18, and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over '275 in view of '168. Claim 16 stands rejected under 35 U.S.C. 103(a) as being unpatentable over '275. Claims 21-24, 34, and 35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over '275 in view of Blanc et al. (U.S. Patent No. 6,411,599) (hereinafter referred to as '599). Finally, Claim 33 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Ardon et al. (U.S. Patent No. 5,105,420) (hereinafter referred to as '420) in view of '171.

In response to these rejections, Claims 1, 6, 8-11, 13, 20, 25, 28, and 29 have been amended to further clarify the subject matter which Applicants regard as the invention and Claims 2, 3, 5, 7, 33, and 36 have been canceled, without prejudice or disclaimer to continued examination on the merits. These amendments are fully supported in the Specification, Drawings, and Claims of the Application and no new matter has been added. Based upon the amendments, reconsideration of the Application is respectfully requested in view of the following remarks.

**Rejection of Claims 21-24 Under 35 U.S.C. 112, Second Paragraph**

Claims 21-24 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response to the rejection, the Applicant has amended claim 21 to read:

21. (Currently Amended) The network device of claim 20, wherein the central switch fabric subsystem is a first central switch fabric subsystem and further comprising:

a second central switch fabric subsystem coupled with the plurality of distributed switch fabric subsystems, wherein each of the plurality of distributed switch fabric subsystems is capable of transferring network data with each of the plurality of distributed switch fabric subsystems through the second central switch fabric subsystems.

In light of the amendment hereto, the Applicant respectfully submits that this rejection is now moot, and its withdrawal is requested.

**Rejection of Claims 1, 4, 11-13, 17, 20, and 36 Under 35 U.S.C. 102(e):**

Claims 1, 4, 11-13, 17, 20, and 36 stand rejected under 35 U.S.C. 102(e) as being anticipated by Andersson et al. (U.S. Patent No. 6,449,275) (hereinafter referred to as '275).

In response to this rejection, independent Claim 1 has been amended to recite:

1. (Currently Amended) A network device comprising:  
~~a central fabric subsystem; and~~

~~a distributed fabric subsystem coupled to the central switch fabric subsystem and capable of transferring network data packets with the central switch fabric subsystem.~~

at least one central switch fabric subsystem; and

at least one distributed switch fabric subsystem located on a forwarding card coupled to said central switch fabric subsystem and capable of transferring network data packets with said central switch fabric subsystem.

wherein said central switch fabric subsystem comprises:

a central controller subsystem located on a first switch fabric card;

and

a central data transfer subsystem coupled with said central controller subsystem, wherein a portion of said central data transfer subsystem is located on a second switch fabric card;

wherein said distributed switch fabric subsystem comprises:

a distributed fabric transfer subsystem; and

a distributed controller subsystem coupled with said distributed data transfer subsystem for controlling network data transfer through the distributed data transfer subsystem.

Similar amendments have been made to independent Claims 20 and 25, all of which recite the newly added additional limitations. Independent Claims 2, 3, 5, 7, and 36 have been canceled, without prejudice or disclaimer to continued examination on the merits.

Examiner indicates that '275 discloses a network device comprising a central switch fabric subsystem (ref. 22m); and a distributed switch fabric subsystem (ref. 22a1-22a4) coupled to the central fabric subsystem and capable of transferring network data packets with the central switch fabric subsystem (Fig. 1; col. 1, lines 57-65; col. 2, lines 30-47; and col. 5, lines 32-55).

As the Examiner points out in paragraph 20 on page 5 of the Office Action, '275 does not disclose that the fabric subsystem is located on a line card. Applicant has incorporated this

limitation into claim 1, by calling for the least one distributed switch fabric subsystem to be located on a forwarding card. Similar amendments have been made to independent claim 20. Claim 36 has been cancelled.

Therefore, Applicants submit that the rejection of Claims 1, 4, 11-13, 17, 20, and 36 under 35 U.S.C. 102(b) as being anticipated by Andersson et al. has now been overcome and respectfully request that this rejection be withdrawn.

**Rejection of Claims 2, 3, 5-7, 9, 10, 25-28, 30, and 31 Under 35 U.S.C. 103(a):**

Claims 2, 3, 5-7, 9, 10, 25-28, 30, and 31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over '275 in view of Mazzola et al (U.S. Patent No. 5,470,171) (hereinafter referred to as '171).

Examiner admits that '275 does not expressly teach disclose that the distributed switch fabric subsystem is located on a line card. Examiner points to Mazzola to disclose a switch system composed on interconnected cards, including line cards. The Examiner then concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to locate the distributed switch fabric subsystem on a line card. Applicant disagrees.

While '171 does teach that a switch system can be composed of interconnected cards, including line cards, there is no teaching in either '171 or '275 that would lead one of ordinary skill in the art to locate the switch system on the line card itself. What the cited sections of '171 does teach is that ports connect the switch to the network. These ports can be implemented on the line cards. However, there is nothing that indicates that the switch system itself is located on the line card. The Applicant has included the limitation that at least one distributed switch fabric subsystem is located on at least one said forwarding card in both independent claims 1 and 25. Independent claim 5 has been cancelled.

Therefore, Applicants submit that the rejection of Claims 2, 3, 5-7, 9, 10, 25-28, 30, and 31 under 35 U.S.C. 103(a) as being unpatentable over '275 in view of '171 has now been overcome and respectfully request that this rejection be withdrawn.

**Rejection of Claims 8, 29, and 32 Under 35 U.S.C. 103(a):**

Claims 8, 29, and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over '275 in view of '171, and further in view of So et al. (U.S. Patent No. 6,212,168) (hereinafter referred to as '168).

The above arguments apply with equal force here.

**Rejection of Claims 14, 15, 18, and 19 Under 35 U.S.C. 103(a):**

Claims 14, 15, 18, and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over '275 in view of '168.

The above arguments apply with equal force here.

**Rejection of Claim 16 Under 35 U.S.C. 103(a):**

Claim 16 stands rejected under 35 U.S.C. 103(a) as being unpatentable over '275.

The above arguments apply with equal force here.

**Rejection of Claims 21-24, 34, and 35 Under 35 U.S.C. 103(a):**

Claims 21-24, 34, and 35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over '275 in view of Blanc et al. (U.S. Patent No. 6,411,599) (hereinafter referred to as '599).

The above arguments apply with equal force here.

**Rejection of Claims 33 Under 35 U.S.C. 103(a):**

Finally, Claim 33 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Ardon et al. (U.S. Patent No. 5,105,420) (hereinafter referred to as '420) in view of '171.

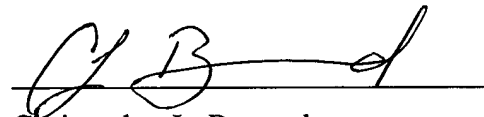
In light of the amendments to the other claims, Applicant has cancelled claim 33.

**CONCLUSION**

Applicants would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper (**two-month extension**). However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

Date: September 9, 2005

A handwritten signature in black ink, appearing to read 'C L Bernard', is written over a horizontal line.

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